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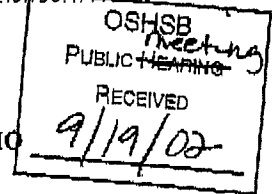
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**STATEMENT OF THE CALIFORNIA LABOR FEDERATION, AFL-CIO
CAL/OSHA STANDARDS BOARD
SEPTEMBER 19, 2002**

We see two options for proceeding to address our petition:

1. Convene an advisory committee to review the proposed standard we submitted on August 15, 2002. We believe this standard, proposed by the Wilson administration's Division of Occupational Safety and Health in 1994, is the most comprehensive preventive standard developed in California. However, we realize that addressing this proposal could result in a lengthy process involving a great deal of staff time before a recommendation could be put before the board and the public for hearing. We are also cognizant of your budget constraints and other issues you are dealing with, such as our joint petition on hand-wooding, which will require considerable staff time. We are willing, therefore to consider a second option.

2. Convene an advisory committee to examine specific aspects of the existing standard and consider the attached proposed modified standard. We believe this can be accomplished with one, or at most two, advisory committee meetings. The committee should be required to report back to you by the end of this year. The advisory committee would need a mandate to review issues which contradict the statutory requirement for a standard "designed to minimize the instances of injury from repetitive motion" and which make enforcement of the standard extremely difficult. These issues include:

- the requirement that two workers report specified repetitive motion injuries within twelve months of each other before the standard is triggered. Clearly, if injuries are required before employers must comply with an OSHA standard, the standard is not preventive.
- the provision allowing employers to avoid citations by claiming that known prevention and control measures they chose not to implement imposed "additional unreasonable costs". This makes enforcement difficult by putting the burden on DOSH to prove that the costs are not unreasonable. The standard also requires DOSH to prove that such measures are "substantially certain to cause a greater reduction in such injuries..."

We urge the board to move forward on one of these two options without delay, and begin protecting California workers from painful and debilitating repetitive motion injuries while saving employers hundreds of millions of dollars in workers' compensation costs.